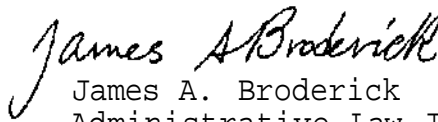


and the parties propose to settle for \$84. The motion states that the violation was the result of ordinary negligence and "was over-evaluated by the inspector." This statement does not justify the settlement proposal and I will deny it.

The case will be called for hearing in Dallas, Texas commencing September 16, 1986 for all the alleged violations with respect to which I have indicated that I will not approve the proposed settlement agreement.


James A. Broderick
Administrative Law Judge

Distribution:

Jack Ostrander, Esq., U.S. Department of Labor, Office of the Solicitor, 525 S. Griffin Street, Suite. 501, Dallas, TX 75'202 (Certified Mail)

John Hawkins, Esq., Naman, Howell, Smith & Lee, Box 1470, Waco, TX 76703 (Certified Mail)

slk